



U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART 522 FW 4	SUBJECT Federal Assistance Program Management Comprehensive Management System Grant	RELEASE NUMBER 457
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EXPLANATION OF MATERIAL TRANSMITTED:

This chapter provides guidance for Federal Assistance grants that fund all or part of a State's implementation and operation of its Comprehensive Management System.

DIRECTOR

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FILING INSTRUCTIONS:

Remove:

522 FW 4, FWM 060, 12/17/92
Appendix 1, 522 FW 4, FWM 060, 12/17/92
Appendix 2, 522 FW 4, FWM 060, 12/17/92
Appendix 3, 522 FW 4, FWM 060, 12/17/92

Insert:

522 FW 4, FWM 457, 11/30/04

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4.1 What is the purpose of this chapter? This chapter provides guidance for Federal Assistance (FA) grants that fund all or part (along with other State financial resources, such as license dollars) of a State's implementation and operation of its Comprehensive Management System (CMS). This type of grant is authorized under section 6(a)(1) of the Dingell-Johnson Sport Fish Restoration (DJ) and the Pittman-Robertson Wildlife Restoration (PR) Acts. Traditional grants or project-by-project grants are those authorized under section 6(a)(2) of the Acts.

4.2 To whom does this chapter apply? This chapter applies to all Fish and Wildlife Service (Service) personnel who administer grants funded through the Sport Fish and Wildlife Restoration Programs.

4.3 What are the authorities for this chapter?

- A. 16 U.S.C. 777.
- B. 16 U.S.C. 669.
- C. 43 CFR 12.50.
- D. 43 CFR 12.51.
- E. 43 CFR 12.60.
- F. 43 CFR 12.80.
- G. 43 CFR 12.81.
- H. 43 CFR 12.510.
- I. 43 CFR 12.630(c).
- J. 50 CFR 80.11.
- K. 50 CFR 80.23.

4.4 What are the definitions of terms used in this chapter? Different States may incorporate different terms for the same concept in their CMS. The Service recognizes that these differences exist, but does not attempt to incorporate the range of terms and associated meanings into this chapter. What is important is that each State's CMS has all the components and attributes described in this chapter regardless of what they are called by a specific State. These definitions apply only to this chapter.

A. Comprehensive Management System (CMS). A State's method of operations that links programs, financial systems (including budget), human resources, goals, products, and services together into one interconnected system. The management system must be effective in determining work to be accomplished,

evaluating whether or not program objectives are met, and evaluating whether or not the necessary CMS process(es) are functioning effectively. A CMS is a State fish and wildlife agency's system of:

- (1) Assessing the current, projected, and/or desired status of fish and wildlife resources.
- (2) Developing a strategic plan (or its equivalent) for its fish and wildlife resources.
- (3) Implementing the strategic plan by means of an operational planning process (operational plan).
- (4) Evaluating the results to determine whether or not objectives were met, what costs and investments were made to achieve results, and how well the system is working.

B. CMS Grant. A grant that funds all or part of the implementation and operation of a State's CMS (as defined below).

C. Evaluation. The process(es) that a State fish and wildlife agency uses to determine how well the CMS is working as a whole (including financial systems, compliance requirement assurance systems, eligibility and allowability assurance systems, etc.). The process must include measuring accomplishments toward stated objectives in the strategic plan and using this information to modify the strategic and operational plans. It also must include process(es) and procedures used to capture the costs of implementing subprojects selected for funding and/or performance in the operational planning process.

D. Inventory and Scanning. The process(es) that a State fish and wildlife agency uses to determine actual, projected, and/or desired resource and asset status and identify management problems, issues, needs, and/or opportunities. This includes a description of the process(es) used for gathering information on current, projected, and/or desired status of the fish and wildlife resources, as determined by the State and its constituents. Status can be described at the ecosystem, habitat, population, species, or other levels, depending on the level at which the State fish and wildlife agency does its planning. This also includes a description of the process(es) used for gathering information on past, present, and projected future uses of and public benefits from fish and wildlife resources.

E. Monitoring. The process of evaluating the effectiveness of a State's CMS by making regularly scheduled field visits, spot checking project files and products, observing management system process(es), and discussing subprojects and process(es) with project leaders and agency managers.

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F. Needs. Whatever is or may be required to overcome problems.

G. Objectives. Concise, specific statements of what exactly will be accomplished. These accomplishments may be expressed as a quantity, a deadline, and/or the required quality of the accomplishment.

H. Operational Plan. A description of the process(es) that the State fish and wildlife agency uses to implement its strategic plan. It includes a description of the process used for developing, reviewing, and selecting work activities for the proposed budget and work plan for each subproject. It describes the State's system used for determining whether or not work planned is eligible for federal reimbursement under the appropriate program. It also includes a description of how the State tracks and monitors expenditures of money and time (i.e., cost accounting). The cost accounting procedures must meet the standards of 43 CFR 12.60. The operational plan also describes how, within the State's CMS, mid-course changes will be made including how to deal with compliance issues related to those changes.

I. Outcome. Stated end points, benefits, results, or targets to be achieved, from which the quality, effectiveness, or success of work can be determined. Also, the result or effect of having met the objectives.

J. Problem. A specific factor that may limit the agency's ability to achieve goals and objectives.

K. Project. For States that operate under a CMS grant, the term "project" may be defined as a wildlife and/or fishery program, all other definitions notwithstanding.

L. Program. Generally, this means the grant program(s) authorized and funded by the PR and DJ Acts, respectively. Specific to CMS grants, "program" means the State's wildlife and/or fishery program as described in their comprehensive fish and wildlife plan.

M. Strategic Plan. A direction-setting document describing the State fish and wildlife agency's programs in terms of goals, objectives, and strategies. It includes a description of opportunities, problems, needs, or issues that will influence the accomplishment of goals and objectives. The strategic plan also summarizes the statutory, regulatory, and State constitutional requirements affecting the plan.

N. Subproject. Categories or subdivisions of fish and wildlife agency work authorized by the PR and DJ Acts, respectively. (Examples are fisheries, wildlife, hunter education, aquatic education, Coastal Wetlands, boating access, etc.).

O. Strategies. Methods or approaches for achieving goals and/or objectives.

P. Work Activities or Tasks, Jobs, etc. A group or set of activities that a State fish and wildlife agency uses to convert strategic plan strategies into actions.

4.5 What documents must a State submit to apply for a CMS grant? If a State fish and wildlife agency wants to use a CMS grant to fund all or part of its CMS, the State must submit a grant proposal to the FA office in the appropriate Regional Office or California/Nevada Operations Office (CNO). The grant proposal must contain the following documents (50 CFR 80.11, 43 CFR 12.50 and 12.51, and 522 FW 1).

A. Signed Standard Form 424 (Application for Federal Assistance).

B. Signed Standard Form 424B (Assurances - Non-Construction Programs) and/or Standard Form 424D (Assurances - Construction Programs).

C. Appropriate compliance documentation.

(1) The documentation provided to the Regional Office/CNO FA office under the CMS grant must be sufficient for Service staff to determine compliance with National Environmental Policy Act (NEPA), section 7 of Endangered Species Act (ESA), and Section 106 of the National Historic Preservation Act (NHPA). Documentation should include a description of the process(es) that ensure that work funded under the CMS grant (or work later added or modified) addresses Federal compliance issues. This may be included in the State's CMS or the grant proposal narrative and must include a description of these process(es), or reference and attach existing documentation of these process(es). 523 FW 1 lists Federal compliance requirements that the State must address when submitting a grant proposal for a CMS grant.

(2) The Service may delegate compliance determinations to the State for some compliance requirements. The State must document their determination of compliance via the assurances documents. However, the Service cannot delegate to the State the Service's responsibility to determine potential environmental impacts of subprojects included in a CMS grant for NEPA, ESA, and NHPA.

D. A statement of the State's intent to implement and fund all or part of its CMS via a CMS grant.

E. A description of the State's CMS including a description of the following components as defined in paragraph 4.4:

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(1) Inventory and Scanning.

(2) Strategic Plan. Must include a description of the process used for developing the plan including how priorities were set and strategies selected to solve problems and address issues. As long as a Strategic Plan drafted by a State for any purpose meets the standards in paragraph 4.4M, it can be integrated into and/or used to satisfy this requirement for the CMS.

(3) Operational Plan.

(4) Evaluation.

F. A description of the State fish and wildlife agency program(s) that the CMS will cover.

G. Identification of the agency contact responsible for the integrity and operation of the State's CMS.

H. A description of how the public will be involved in the State's CMS.

4.6 What planning period must a CMS cover? The CMS must cover a planning period of not less than 5 years and be based on projections of the desires and needs of the State's citizens for not less than 15 years [DJ and PR Acts, section 6(a)(1)]. The CMS must also be reviewed and revised, if needed, at least every 3 years. The State must notify the Service in writing of the results of this review.

4.7 Under what circumstances must the CMS grant proposal be amended? In addition to requirements found in 522 FW 1.5, an amendment is required when a change is made in a part of the State's CMS subject to criteria the Service uses to approve the CMS grant (such as the programs included in the CMS grant proposal, the financial management system used for the State's CMS, or the organizational structure in the CMS).

4.8 At what level must States account for costs for a CMS grant? Standards for financial management systems are the same for all Sport Fish and Wildlife Restoration Program grants, including CMS grants (43 CFR 12.60). In addition, States operating under a CMS grant will report and maintain records at the subproject level as specified in the grant agreement.

4.9 What grant agreement documents must the State submit to obligate funds? The State must submit a grant agreement package to obligate funds. This grant agreement package must contain the following documents (50 CFR 80.11, 43 CFR 12.50, and 522 FW 1):

A. Grant agreement (FWS Form 3-1552) signed by an authorized State official, and two copies, specifying the

total costs for implementing and operating that portion of the State's CMS funded under the CMS grant, the State share of the cost, and the Federal share being requested for obligation.

(1) If the grant agreement includes activities chargeable to the boat access, hunter education, aquatic education, or other FA subaccount, it must specify the obligations for each of the subprojects.

(2) Coastal States must provide the allocation of funds between marine and freshwater fishery programs (50 CFR 80.23).

B. Certification (Form DI-2010) pertaining to debarment, suspension, lobbying, and drug-free workplace (43 CFR 12.510 and 43 CFR 12.630(c)).

4.10 Must the State submit any subproject level information with the grant agreement? Yes. Subproject information must be submitted for the Service to make NEPA, ESA, and NHPA determinations. This information includes cost estimates for subprojects. Cost estimates provide critical information on the size and scope of each subproject for making compliance determinations. This initial information is needed in order to determine if more detailed subproject information is required. Cost estimates at the subproject level are also required in order to determine and track the adequacy of the State's internal cost accounting system. Therefore, during monitoring and audits, the State must provide cost information to the subproject level.

4.11 What subproject level information must the State submit with the grant agreement? The State must provide, with each grant agreement, a list of subprojects to be funded under the grant agreement. For each subproject, the State must provide the following:

A. A title.

B. Identification of the subprojects within the cost accounting system.

C. The cost estimate for the subprojects (consistent with the terms of the grant agreement period).

D. Information on subproject location (e.g., site, county, district, region, or Statewide).

E. Subproject information of sufficient detail for the Federal agency to make NEPA, ESA, and NHPA determinations, if compliance has not already been satisfied at the grant proposal level.

F. For land acquisition activities, the State must submit additional documentation (see 522 FW 6).

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4.12 When must a State amend a grant agreement?

In addition to requirements found in 522 FW 1.8, an amendment is required when a change is made in part of the State's CMS subject to the criteria the Service uses to approve the CMS grant (such as the programs included in the CMS grant, the financial management system used in the State's CMS, the organizational structure in the CMS, etc.).

4.13 What documents must a State submit to amend a grant agreement?

A. Signed original FWS Form 3-1591 (Amendment to Grant Agreement) and two copies.

B. A description of what is being modified and why.

C. A copy of any grant agreement document that is revised. For example, if the State is adding subprojects to the list of projects being funded under the grant agreement, they must submit a revised list of funded subprojects.

D. If new subprojects are added or the scope of an existing subproject is changed, a revised or new set of documents is required to enable Service staff to make NEPA, ESA, NHPA, and other compliance determinations.

4.14 What are the State and Federal roles in monitoring a CMS grant?

In addition to requirements listed in 43 CFR 12.80(a), the State should monitor the different parts and process(es) of the CMS several times each year. The FA staff should monitor the State's implementation of its CMS by way of looking at process(es), documents and products as indicators of how the system is working. The State and FA staff administering the CMS grant should jointly monitor the process(es), products, and outcomes of a State's CMS on an ongoing basis, at least once a year.

4.15 What are some examples of questions to ask while monitoring a State's CMS?

Questions to ask on a field review (monitoring trip) can be specific or broad. Some example questions are:

A. Is the CMS being used as described?

B. Is the CMS working?

C. Is CMS process(es) enabling the agency to meet its goals and objectives?

D. How is selection of this subproject consistent with the budget development process?

E. How does the subproject work support or address the strategic plan and how is its impact evaluated?

F. How will the evaluation of this subproject affect selection of future subprojects for funding?

G. What would happen to this subproject if there were budget cuts or increases?

H. How does the State fish and wildlife agency ensure they are meeting Federal compliance requirements?

I. How is cost accounting information provided and used?

J. Are objectives being achieved in the strategic plan and how is this determination made?

4.16 What should be done if a problem is found during monitoring?

If State or Service staff find a problem while monitoring, they should first focus on what in the system allowed the problem to occur, and second on what needs to happen to prevent a recurrence of the problem. The primary focus of the State and FA staff responsible for the CMS grant is bringing the management system failure to the attention of the State fish and wildlife agency administrators. The State FA coordinator and the FA staff should pursue remedies jointly.

4.17 What performance reporting is required of the State?

A. Annual. For the grant agreement period, the State must submit an annual performance report (43 CFR 12.80(b)(1)) containing:

(1) A report of work completed during the grant agreement segment as compared to the subprojects listed in that segment's schedule of work (e.g., annual work plan).

(2) An explanation of material disparities between work planned and work accomplished.

(3) The costs incurred for the subprojects during the grant agreement period.

(4) An explanation of material disparities between costs incurred and cost estimates.

B. Final. Additional final performance report documentation may be needed for specific subproject activities (see 522 FW for listing of activities and requirements).

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4.18 What financial reporting is required of the State? As stated in 43 CFR 12.81, States must submit a Financial Status Report (Standard Form 269) for each grant agreement. The Financial Status Report accounts for outlays at the grant subproject level (i.e., boat access, aquatic education, hunter education, etc.) during the reporting period. Funds must be identified as Federal and non-Federal shares to document match requirements are fulfilled at the subproject level. The States must certify and are accountable for financial information they provide on SF 269. The Financial Status Report is due within 90 days of the end of the grant year. For a grant agreement lasting 12 months, this is the expiration date of the grant agreement. For multi-year grant agreements, this is the 1-year anniversary of the effective date of the grant agreement. If the State cannot provide the report within the 90-day period, it must submit a request for extension to the Regional Director/CNO Manager before the end of this period. The request must contain a justification for the delay and an estimated date for submission of the required report. When circumstances warrant closer monitoring, the Service may require that a Financial Status Report be submitted quarterly or semiannually.